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Dated: 9.17.2004

Signature: 

(Joy L. Pickett)

Docket No.: 21547-00283-US
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Jan Hall et al.

Application No.: 09/980,006

Confirmation No.: 9722

Filed: May 9, 2002

Art Unit: N/A

For: LAYER ARRANGED ON IMPLANT FOR
BONE OR TISSUE STRUCTURE, SUCH AN
IMPLANT, AND A METHOD FOR
APPLICATION OF THE LAYER

Examiner: Not Yet Assigned

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SEP 17 2004

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed August 19, 2004, Applicant hereby provisionally, without traverse, elects Group I, Claims 1-15, 19, and 20 for continued examination.

The Examiner has required restriction between:

Group I, Claims 1-15, 19, and 20 drawn to an implant; and

Group II, Claims 16-18 drawn to a method for producing.

The Examiner believes that the inventions listed as Group I do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: the special technical feature of the Group I invention is an implant having some layers designs with channels network with mouths, while the special technical feature of the Group II invention is the addition of diluted inorganic acids, diluted organic acids and/or small quantities of hydrofluoric acids or hydrogen peroxide to a electrolytic composition. Since the special technical feature of the Group

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I invention is not present in Group II invention being claimed and the special technical feature of the Group II invention is not present in Group I being claimed, unity of invention is lacking.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 21547-00283-US from which the undersigned is authorized to draw.

Dated: September 17, 2004
24675_1

Respectfully submitted,

By 
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